

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JIAN WU, and FEN BIAO CAI, on behalf of  
themselves and other persons similarly  
situated,

Plaintiffs,

-against-

SUSHI NOMADO OF MANHATTAN, INC.  
d/b/a NOMADO 33, SUSHI PARA 33  
CORPORATION d/b/a NOMADO 33, SUSHI  
PARA MANHATTAN, CORP. d/b/a SUSHI  
PARA, d/b/a SUSHI PARA (14th Street),  
d/b/a SUSHI PARA (Third Avenue), d/b/a  
SUSHI PARA 88, WEI LOONG CHAN aka  
WEI LOON CHAN, WENWU CHEN, ZHOU  
LIN, SHENG R. DONG, and DING FENG  
ZHANG

Defendants.

USDC SDNY  
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17-cv-4661-MKV

VERDICT SHEET

1. Did Plaintiff prove by a preponderance of the evidence that any of the following Defendants was his "employer," either directly, as a joint employer, or as part of a "single integrated enterprise?"

SUSHI PARA 33 CORPORATION.

Yes:

☒

No:

☐

SUSHI PARA MANHATTAN CORP.

Yes:

☒

No:

☐

ZHOU LIN

Yes:

☒

No:

☐

DING FENG ZHANG

Yes:

☒

No:

☐

**If you answered "No" for all Defendants in Question 1, please do not answer any other questions. You are finished. Please turn to the back page, sign, and date the form, and advise the Marshal that you have a verdict. If you answered "Yes" for at least one Defendant, proceed to Question 2.**

2. If you answered "Yes" regarding any Defendant in response to Question 1, set forth the dates, if any, that you find Plaintiff's employment started and ended for each Employer. If you find that Plaintiff had more than one term of employment, set forth the start and end date of each term of employment. Note, you need not use each provided space.

Employer: Sushi Para 33 Corporation Start: Oct 2013 End: Oct 2017  
 Employer: Sushi Para Manhattan Corp Start: Oct 2013 End: Oct 2017  
 Employer: Zhou Lin Start: Jan 2015 End: March 2015  
 Employer: Ding Feng Zhang Start: October 2013 End: October 2017  
 Employer: \_\_\_\_\_ Start: \_\_\_\_\_ End: \_\_\_\_\_  
 Employer: \_\_\_\_\_ Start: \_\_\_\_\_ End: \_\_\_\_\_

3. How many "compensable hours" do you find that Plaintiff worked per week? If the number of hours per week changed, please note when it changed and what it changed to:

72 hours per week.

4. Indicate the dollar amount and time unit (e.g., per day, per week, per month, or per year) that Plaintiff was paid for each period of employment that you found in Question 2. Note, you need not use each provided space.

Period of Employment: 2013 \$ 638.16 per week (time unit)  
 Period of Employment: 2014 \$ 704.00 per week (time unit)  
 Period of Employment: 2015 \$ 770.16 per week (time unit)  
 Period of Employment: 2016 \$ 792.00 per week (time unit)  
 Period of Employment: 2017 \$ 968.00 per week (time unit)  
 Period of Employment: \_\_\_\_\_ \$ \_\_\_\_\_ per \_\_\_\_\_ (time unit)

5. For each period of employment that you found above, what do you find was Plaintiff's "regular rate of pay?" Note, you need not use each provided space.

\$ 7.25 per hour from Oct 2012 to Dec 2013  
 \$ 8.00 per hour from Jan 2014 to Dec 2014  
 \$ 8.75 per hour from Jan 2015 to Dec 2015  
 \$ 9.00 per hour from Jan 2016 to Dec 2016  
 \$ 11.00 per hour from Jan 2017 to Oct 2017  
 \$ \_\_\_\_\_ per hour from \_\_\_\_\_ to \_\_\_\_\_

6. Do you find that Defendants failed to pay Plaintiff the applicable "minimum wage" requirement, based on your responses to Question 5, for any period of Plaintiff's employment? If you answer "No" to this question, skip Question 7, and proceed to Question 8.

Yes: ✓ No: \_\_\_\_\_

7. If you answered "Yes" to Question 6, to the extent Defendants failed to pay Plaintiff the applicable "minimum wage" for any of period of employment, did any Defendant nevertheless act in "good faith?" Note, you need only provide responses for Defendants that you found were Plaintiff's employer in Question 1.

Employer Defendant: <u>Sushi Para 33 Corporation.</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Sushi Para Manhattan Corp.</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Zhou Lin</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Ding Feng Zhang</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: _____	Yes: _____	No: _____
Employer Defendant: _____	Yes: _____	No: _____

8. Was Plaintiff paid at least 1.5 times the greater of the minimum wage or his "regular rate of pay" for each overtime hour that he worked, if any? If you answer "Yes" to this question, skip Question 9, and proceed to Question 10.

Yes: \_\_\_\_\_ No: ✓



9. If you answered "No" to Question 8, to the extent Defendants failed to pay Plaintiff adequate "overtime" wages, did any Defendant nevertheless act in "good faith?" Note, you need only provide responses for Defendants that you found were Plaintiff's employer in Question 1.

Employer Defendant: <u>Sushi Para 33 Corporation.</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Sushi Para Manhattan Corp.</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Zhou Lin</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Ding Feng Zhang</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: _____	Yes: _____	No: _____
Employer Defendant: _____	Yes: _____	No: _____

10. Indicate the number of days per week you find that Plaintiff's "spread of hours" exceeded 10 hours. If the number of days per week changed, please note when it changed and what it changed to:

6 days. per week.

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11. If you provided a response for Question 10, was Plaintiff paid at least 1 additional hour's pay at the applicable New York minimum wage for each day his "spread of hours" exceeded ten hours? If you left Question 10 blank, also leave this field blank. If you answer "Yes" to this question, skip Question 12, and you are finished.

Yes: \_\_\_\_\_ No: ✓

12. If you answered "No" to Question 11, to the extent Defendants failed to pay Plaintiff adequate "spread of hours" wages, did any Defendant nevertheless act in "good faith?" Note, you need only provide responses for Defendants that you found were Plaintiff's employer in Question 1.

Employer Defendant: <u>Sushi Para 33 Corporation.</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Sushi Para Manhattan Corp</u>	Yes: _____	No: <u>✓</u>
Employer Defendant: <u>Zhou Lin</u>	Yes: _____	No: <u>✓</u>

Employer Defendant: Ding Feng Zhang

Yes: \_\_\_\_\_ No: ✓

Employer Defendant: \_\_\_\_\_

Yes: \_\_\_\_\_ No: \_\_\_\_\_

Employer Defendant: \_\_\_\_\_

Yes: \_\_\_\_\_ No: \_\_\_\_\_

**You are finished. The foreperson should ensure that each juror agrees with the answer to each question. If so, the foreperson should date and sign below.**

Dated: Feb 01, 20 24  
New York, NY

  
Foreperson